



Practitioner's Docket No. 57471/03-012

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Nally et al.  
Application No.: 10/606,664  
Confirmation No.: 4708  
Filed: 06/26/2003  
For: Retractable pedometer  
Group No.: 2816  
Examiner: Unknown

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_-\_\_\_\_.

  
Signature

Date: November 12, 2003

LUZ C. LOPEZ  
(type or print name of person certifying)

(Transmittal of Information Disclosure Statement  
Within Three Months of Filing or Before Mailing of First Office Action— Page 1 of 3)

1. Timing of Statement (with any required certifications)
2. Preliminary Statements
3. Forms PTO-1449 (Modified)
4. Comments on References
5. Identification of Person(s) Making This Information Disclosure Statement

**Section 1. Timing of Statement (with any required certifications)**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**Section 2. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 3. Form PTO-1449 (Modified)**

Attached.

**Section 4. Comments on References**

None.

**Section 5. Identification of Person Making This Information Disclosure Statement**

The person making this certification is:

a. the practitioner who signs below on the basis of the information in the practitioner's file.

No additional fee is believed to be due. However, if any fee is made payable by the filing of this paper, please consider this our authorization to charge the deposit account of the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,

11/12/03  
DATE

  
SIGNATURE OF PRACTITIONER

Reg. No.: 36,050

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<b>FORM PTO-1449 (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Attorney Docket No.: 57471/03-012	
	Applicant(s): Nally et al.	
	Title: Retractable pedometer	
	Serial No.: 10/606,664	Filing Date: 06/26/2003
	Group: 2816	Examiner: Unknown

### U.S. PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Subclass
	AA	1,567,783	12/29/1925	Best		
	AB	4,126,024	11/21/1978	Timmons et al.	70	233
	AC	4,715,235	12/29/1987	Fukui et al.	73	862.68
	AD	4,756,171	07/12/1988	Homar	70	18
	AE	4,970,882	11/20/1990	Arrendondo	70	30
	AH	5,117,444	05/26/1992	Sutton et al.	377	24.2
	AF	5,718,100	02/17/1998	Petty	53	399
	AG	5,938,137	08/17/1999	Poulson	242	379.2
	AI	2001/ 0022828A1	09/20/2001	Pyles	377	24.2

### FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name (Inventors)	Class	<u>Translation</u> Yes / No
	AJ					



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**OTHER ART**

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AK	

EXAMINER	DATE CONSIDERED

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance. Include copy of this form with next communication to applicant.